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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,682	01/31/2002	Layne B. Miller	42390P13067	2181

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EXAMINER

SHINGLES, KRISTIE D

ART UNIT PAPER NUMBER

2141

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/062,682

Applicant(s)

MILLER ET AL.

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

*Claims 1-22 are pending.*

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 909. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 700 and 900. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims **1-5, 7-18 and 20-22** are rejected under 35 U.S.C. 102(e) as being anticipated by *Krueger et al* (USPN 6,460,075).

a. **Per claim 20**, *Krueger et al* teach an apparatus comprising:

- a client side outgoing channel component that receives from a client transport information and a message SDS token of a message SDS, packages the message SDS token and the transport information in an envelope SDS and transports an envelope SDS token to a server (Abstract, col.1 line 65-col.2 line 23 and col.7 lines 26-40; client sends transport data and token as a combined request message data stream to the server);
- a server side incoming channel component that receives the envelope SDS from the server, extracts the message SDS token from the envelope SDS and provides the message SDS token to the server (Abstract, col.2 lines 14-23 and col.3 lines 32-51; server receives the data stream with the message and token, extracting the token );
- a server side outgoing channel component that receives from the server a reply SDS token of a reply SDS containing a reply to the message, stores the reply SDS token in a response SDS and transports a response SDS token to the client (col.2 lines 14-23, col.3 lines 41-64, col.6 line 66-col.7 line 7 and col.7 lines 40-46; the server transmits a response which includes the token and location information, provision for storage in the server); and

- a client side incoming channel component that receives from the client the response SDS token, extracts the reply SDS token from the response SDS and provides the reply SDS token to the client (col.2 lines 14-33, col.3 lines 41-64, col.3 line 32-col.4 line 49, col.6 lines 14-59, col.7 lines 21-25 and col.7 lines 41-52; the client receives the response and with the browser, extracts the token, provision for local storage).
- b. **Claims 1, 2 and 7-18** contain limitations that are substantially similar to claim 20 and are therefore rejected under the same basis.
- c. **Per claim 3**, *Krueger et al* teach the method of claim 2, wherein the first entity comprises a client software application (col.3 lines 23-40 and col.3 line 66-col.4 line 67).
- d. **Per claim 4**, *Krueger et al* teach the method of claim 3, wherein the second entity comprises a server software application (col.3 lines 41-64).
- e. **Per claim 5**, *Krueger et al* teach the method of claim 4, wherein the memory location comprises a serialized data stream (SDS) and the different memory location comprises a different SDS (col.7 lines 41-67).
- f. **Per claim 21**, *Krueger et al* teach the apparatus of claim 20, wherein the server side incoming channel component extracts the transport information from the envelope SDS and provides the transport information to the server (col.2 lines 14-23 and col.7 lines 46-50).
- g. **Per claim 22**, *Krueger et al* teach the apparatus of claim 21, wherein the message SDS contains a message from the client requesting information from a service performing tasks as part of the server (col.2 lines 2-30, col.3 lines 10-64, col.7 lines 8-14 and col.7 lines 21-40; data streams contains a request sent by the client-side browser to the server).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **6 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Krueger et al* (USPN 5,909,553) in view of *Yang* (USPN 6,754,213).

a. **Per claim 6**, *Krueger et al* teach the method of claim 5 as applied above, yet fail to distinctly teach the method wherein the identifier comprises a token and the different identifier comprises a different token. However, *Yang* discloses serialized data and the use of different identifiers comprising different tokens used for referencing fields with different indexes in a bit stream pool of memory (col.1 lines 43-59, col.2 line 35-col.3 line 58 and col.4 line 29-col.5 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Krueger et al* and *Yang* for the purpose of implementing different identifiers with different token for representing data; because it would permit identifying and referencing data in other memory locations, remotely and locally.

b. **Claim 19** is substantially similar to claim 6 and is therefore rejected under the same basis.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. *Campbell et al* (USPN 5,909,553) disclose systems and method for controlling the transmission of relatively large data objects in a communications system.
- b. *Lisitsa et al* (USPN 6,385,341) disclose a technique for decoding variable length data codes.
- c. *Lim* (USPN 6,574,378) discloses a method and apparatus for indexing and retrieving images using visual keywords.
- d. *Nelson et al* (USPN 6,243,713) disclose multimedia document retrieval by application of multimedia queries to a unified index of multimedia data for a plurality of multimedia data types.
- e. *Druckenmiller et al* (USPN 6,167,435) disclose a Double Opt-in<sup>TM</sup> method and system for verifying subscriptions to information distribution services.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Kristie Shingles*  
Examiner  
Art Unit 2141

kds

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER